

# Wetlands Bureau Decision Report

Decisions Taken  
06/02/2003 to 06/06/2003

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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### **2002-01896                      COLDWATER FISHERIES COALITION INC WALPOLE   Cold River**

#### Requested Action:

Dredge and fill approximately 4,386 square feet within the bed and banks of the Cold River to enhance and restore coldwater fisheries habitat. Project activities include placement of no more than 13 five-foot diameter boulders and excavation of associated scour holes, excavation of a 20-foot x 15-foot x 5-foot pool and construction of a 30-foot x 15-foot x 2-foot channel side bar, excavation to deepen an existing pool, reconfiguration of an existing rock dam to construct a U-shaped weir, construction of a transverse S-shaped rock weir, and excavation of a 30-foot x 20-foot x 5-foot pool.

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#### Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated September 4, 2002 the Walpole Conservation Commission stated that it had no objections to the project and recommended that the Department hold a public hearing.

Inspection Date: 10/01/2001 by Christian P Williams

#### APPROVE PERMIT:

Dredge and fill approximately 4,386 square feet within the bed and banks of the Cold River to enhance and restore coldwater fisheries habitat. Project activities include placement of no more than 13 five-foot diameter boulders and excavation of associated scour holes, excavation of a 20-foot x 15-foot x 5-foot pool and construction of a 30-foot x 15-foot x 2-foot channel side bar, excavation to deepen an existing pool, reconfiguration of an existing rock dam to construct a U-shaped weir, construction of a transverse S-shaped rock weir, and excavation of a 30-foot x 20-foot x 5-foot pool.

#### With Conditions:

1. All work shall be in accordance with the aerial photo plan by Joseph Urbani & Associates, Inc. dated May 20, 2001 and revised September 19, 2001, as received by the Department on September 27, 2001; and the Transverse Rock Weir and U-Shaped Rock Weir Plan & Profile (Drawings 1 & 2 of 2) by Joseph Urbani & Associates, Inc. dated May 20, 2001, as received by the Department on August 23, 2002.
2. The permittee shall submit longitudinal profile and pebble count data to the NHDES Wetlands Bureau for review and approval prior to project construction.
3. The permittee shall notify in writing the NHDES Wetlands Bureau, the NH Fish & Game Department, the Walpole Conservation Commission and the Cold River Local Advisory Committee at least 14 days prior to the commencement of project activities.
4. The permittee shall conduct post-construction macroinvertebrate and fish monitoring using sampling protocols similar to those used in the fall of 2001 within one year following the completion of project activities and continuing annually thereafter for two additional years.
5. The permittee shall coordinate with the NHDES Biomonitoring Program to conduct one sampling round to include no more than three samples at project-specific areas for macroinvertebrates within one year following construction using sampling protocols similar to those used in the fall of 2001. Additional post-construction sampling assistance by the NHDES Biomonitoring Program may be conducted upon formal request by the permittee and consideration by the NHDES Biomonitoring Program.
6. The permittee shall coordinate with the NHDES Biomonitoring Program and the NH Fish & Game Department to conduct one sampling round to include no more than two stations for fish collection and identification using backpack electrofishing gear within one year following construction using sampling protocols similar to those used in the fall of 2001. Additional sampling assistance by the NHDES Biomonitoring Program and the NH Fish & Game Department may be conducted upon formal request by the permittee and consideration by the NHDES Biomonitoring Program and the NH Fish & Game Department.
7. A report summarizing the results of the post-construction fish and macroinvertebrate sampling shall be submitted in writing to the NHDES Wetlands Bureau, the NHDES Biomonitoring Program, the NH Fish & Game Department, the NHDES Rivers Coordinator and the Cold River Local Advisory Committee within 60 days following completion of yearly sampling activities. This report shall also describe the general condition of the U-shaped rock weir, channel side bar, pools, and scour holes constructed/created as part of authorized project activities.
8. Work shall be conducted during annual low flow conditions and during the months of May through September. No in-stream

work shall occur after October 1 unless a waiver of this condition is authorized by the NHDES Wetlands Bureau in consultation with the NH Fish & Game Department.

9. Should unseasonably high flows occur as a result of storm events, all in-stream work shall cease until flows return to seasonal levels.

10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed ten consecutive days in total unless specifically authorized in writing by the NHDES Wetlands Bureau.

11. A floating turbidity curtain shall be installed immediately downriver from the project area. The turbidity curtain shall be cleaned of sediment in upland areas prior to reinstallation. The turbidity curtain shall be maintained until work is complete and the site is stable.

12. Mats shall be placed on the riverbed prior to access by machinery in areas where the substrate of the river is comprised of silt or clay.

13. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

15. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

16. The U-shaped weir shall be constructed so as to maintain the water surface elevation in the vicinity of the existing concrete water withdrawal cistern to ensure an adequate water supply for the dust suppression needs of The Lane Construction Corporation.

17. Dredged material not utilized as part of construction activities shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

18. Disturbed river banks shall be restored to original contours and to a stable condition within three days of completion of construction. 19. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access. In areas where vegetation has been cleared or otherwise disturbed to provide temporary construction access, native shrub and tree species shall be planted by the end of the following growing season.

20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.

22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.

23. All refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.

24. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

25. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

#### With Findings:

1. The project is categorized as a Major Project per Rule Wt 303.02(i), as the project activities will disturb more than 200 linear feet of a nontidal river and its banks.

2. The Lane Construction Corporation owns the bed and both banks of the Cold River along the reach where project activities are proposed.

3. In a letter to the DES Wetlands Bureau dated August 12, 2002, The Lane Construction Corporation stated that it has no objection to the proposed project. The Lane Construction Corporation did, however, state that it would endorse the project only if it does not interfere or detrimentally affect the Corporation's ability to withdraw water from the Cold River and does not result in additional cost to the Corporation in doing so. The letter also grants permission for access across the Corporation's property to carry out the project as long as the project does not interfere with the Corporation's operations.

4. The permittee has obtained written consent to conduct work on the property of The Lane Construction Corporation in accordance with Rule Wt 304.04(a).

5. The permittee has designed the U-shaped weir so as to maintain the water surface elevation in the vicinity of the existing concrete water withdrawal cistern to ensure an adequate water supply for the dust suppression needs of The Lane Construction Corporation.

6. On October 1, 2001 DES Wetlands Bureau staff conducted a field inspection of the project site.

7. In a letter dated April 4, 2002 the NH Natural Heritage Inventory stated that it currently has no recorded occurrences for sensitive species near the project area.

8. In a letter dated May 8, 2002 the US Fish & Wildlife Service (USFWS) stated that no federally-listed or proposed threatened or endangered species under the jurisdiction of the USFWS are known to occur in the project area.
9. In a letter to the DES Wetlands Bureau dated August 1, 2002 the Connecticut River Watershed Council stated its support for the project.
10. In a letter to the DES Wetlands Bureau dated August 27, 2002 the NH Fish & Game Department stated its support for the project.
11. In a letter to the DES Wetlands Bureau dated September 4, 2002 the Walpole Conservation Commission stated that it has no objections to the project and recommended that the Department hold a public hearing.
12. In a letter to the DES Wetlands Bureau dated September 27, 2002 the Cold River Local Advisory Committee requested that the Department hold a public hearing for the project.
13. On January 13, 2003 the NHDES Wetlands Bureau and NH Fish & Game Department held a joint informational meeting followed by a public hearing at the Walpole Town Hall. Four people spoke in favor of the proposal, including a member of the Walpole Conservation Commission and a member of Connecticut River Watershed Council, and one person spoke in opposition to the proposal. The individual speaking in opposition to the proposal owns property with river frontage downriver from the project site and expressed concern that the project would contribute to increased bank erosion and loss of property. The individual requested further studies definitively showing that the project would not contribute to further bank erosion and loss of property.
14. Based on testimony provided by the applicant's representative at the aforementioned public hearing and based on review of the application and supporting documentation, the Department finds that there is no evidence to suggest that the proposed project will contribute to increased bank erosion downstream from the project site. Therefore, the Department finds that further studies to determine whether the proposed project will contribute to bank erosion downstream are not warranted.
15. In a letter dated May 12, 2003, the DES Dam Bureau indicated that reconfiguration of the existing rock dam as a rock weir would not require a dam reconstruction permit
16. The need for proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
17. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
18. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
19. The Department finds that the project will not have a significant adverse impact on the natural flow characteristics nor the aquatic resources of the Cold River.

**2002-02474                      KAUFFMAN, STEPHEN**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Appellant requests reconsideration based on alleged safety hazard associated with new docking facility design.

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Conservation Commission/Staff Comments:

Con Com has no remarks

Inspection Date: 05/30/2003 by Darlene Forst

DENY RECONSIDERATION:

- Reconsider and reaffirm approval of request to:
1. Permanently remove an existing non-conforming breakwater and docking facility.
  2. Fill 925 sq ft to construct 57 linear ft of breakwater, in an "L" configuration, with a 20 ft gap at the shoreline, and a 4 ft x 25 ft cantilevered pier accessed by a 6 ft x 40 ft piling and cantilevered supported pier with 3 ft by 25 ft piling supported finger pier in an "F" shaped configuration.
  3. Dredge 7 cy from 350 sq ft in the shoreward boat slip of the proposed docking facility.
  4. Construct a 6 ft by 25 ft piling supported wharf along the shore and install 2 jetski lifts along the wharf.

With Conditions:

1. All work on this average of 158 ft of frontage on Lake Winnepesaukee in Tuftonboro shall be in accordance with plans by Lakeshore Construction dated October 2, 2002, revision date March 5, 2003, as received by the Department on March 6, 2003.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. Dredged material and construction debris shall be placed outside of any areas within jurisdiction.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

Standards for Approval

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. In accordance with Rule Wt 402.14, Frontage Over 75', a maximum of 3 boat slips may be approved on 158 ft of frontage.
3. In accordance with Rule Wt 304.04, Setback From Property Lines, the Department shall increase the setback if it finds that the proposed location represents a danger to other waterfront activities, a navigation hazard or interferes with an abutter's access to or use of his property.
4. In accordance with Rule Wt 402.07, Breakwaters, breakwaters shall be approved in those areas which are subject to persistent 2 ft wave activity.

Findings of Fact

5. The applicant has submitted sufficient evidence to show that the construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
6. The applicant has an average of 158 feet of shoreline frontage along Lake Winnepesaukee.
7. The proposed docking facilities will provide 3 slips as defined per RSA 482-A, and therefore meet Rule Wt 402.14.
8. Public hearing is waived based on field inspections, by NH DES staff, on January 22, 2003 and May 30, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
9. The May 30, 2003 inspection, conducted at the request of the appellant found that the proposed reconfiguration of the docking facility will improve navigation along these frontages by increasing the distance between the facilities and will not interfere with waterfront activities or the access of the abutting owners.

Ruling in Support of the Decision

10. The proposed modifications to the existing docking facility meet the setbacks and design criteria established in Chapter Wt 400 and improve safety and navigation over the existing conditions, therefore, upon reconsideration, the Bureau reaffirms its original approval.

-Send to Governor and Executive Council-

**2003-00194                      PORTSMOUTH, CITY OF**  
**PORTSMOUTH    Piscataqua River**

Requested Action:

Impact 8,640 square feet of tidal waters between the highest observable tide line and the mean high tide line at four (4) locations for shoreline stabilization using stone fill with a minimum size of six inches, and impact 23,660 square feet of the upland tidal buffer zone for the installation of one (1) culvert and associated level spreader system, and the construction of 5-foot wide stone dust trails, four (4) overlook/access points, the installation of guardrail and informational signs, and the repaving, curbing, and marking of the handicapped parking spaces in the parking lot. Project impacts total 32,300 square feet within tidal waters and the upland tidal buffer zone.

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Inspection Date: 04/01/2003 by Christina Altimari

APPROVE PERMIT:

Impact 8,640 square feet of tidal waters between the highest observable tide line and the mean high tide line at four (4) locations for shoreline stabilization using stone fill with a minimum size of six inches, and impact 23,660 square feet of the upland tidal buffer zone for the installation of one (1) culvert and associated level spreader system, and the construction of 5-foot wide stone dust trails, four (4) overlook/access points, the installation of guardrail and informational signs, and the repaving, curbing, and marking of the handicapped parking spaces in the parking lot. Project impacts total 32,300 square feet within tidal waters and the upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Oak Point Associates; sitework plans dated February 12, 2003, with revisions dated April 30, 2003, and received by DES on May 14, 2003; erosion control plans dated February 12, 2002, with revisions dated March 5, 2003, and received by DES on May 14, 2003; landscape plans dated May 9, 2003, and received by DES on May 14, 2003; and shoreline stabilization plans dated January 10, 2003, with revisions dated June 2, 2003, and received by DES on June 4, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation, erosion, turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. All shoreline stabilization work shall be done during low tide.
7. All stone fill used for the shoreline stabilization work shall conform to the Standard Specification for Highways and Bridges, State of NH Department of Transportation Section 585, and shall conform to the following gradation: 60% of the mass shall have a minimum volume of 1.0 cubic feet (approximately 12 inches in diameter), and approximately 40% of the mass shall range between 0.125 cubic feet (approximately 6 inches in diameter) and 1.0 cubic feet in diameter.
8. There shall be no removal of vegetation between station 8+00 and station 10+50 without prior consultation with the landscape architect, in order to protect the NH Natural Heritage Inventory identified existing state threatened plant species, Marsh Elder (*Iva frutescens*).
9. A qualified landscape architect shall supervise the buffer and stabilization plantings to ensure that the plantings are completed pursuant to the Landscape Plans by Oak Point Associates dated May 9, 2003, and received by DES on May 14, 2003.
10. There shall be no substitutions made for the plant species specified on the Saltmarsh Restoration Plan for replanting purposes without prior approval from DES.
11. Plantings shall have at least 75% successful establishment after one year, or they shall be replanted and re-established until a healthy landscape is established.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter any bank, flat, wetlands, surface water, or undeveloped uplands.

2. Per Wt 302.01 and Wt 302.04(a)(1), the need for the proposed impacts has been demonstrated by the applicant, as the proposed impacts are necessary to stabilize areas of the Island's eroding shoreline, and improve public recreation and accessibility on Pierce Island.
3. Per Wt 302.03 and Wt 302.04(a)(2), the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under DES' jurisdiction by limiting shoreline stabilization to areas where it is absolutely necessary.
4. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Marsh Elder (*Iva frutescens*).
5. DES field inspection on April 1, 2003 finds that the NHNHI identified threatened plant species will not be impacted as a result of the project, as special precautions will be taken during trail construction to avoid encroachment upon, and to protect the area on the island where Marsh Elder exists.
6. The public hearing is waived with the finding that the project impacts will not significantly impair, but can only enhance the environmental resources of Pierce Island.

**2003-00197                      RICHEY, KIM & KIMBERLY**  
**LITTLETON   Dell Brook**

**Requested Action:**

Dredge 24,025 square feet within an existing man-made pond in Dells Brook (impacting 210 linear feet) to remove accumulated sediments and to restore the impoundment. Temporarily impact 4,900 square feet along the pond edges for equipment access.

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**Conservation Commission/Staff Comments:**

\*In a letter dated 8/2/02, NHI stated that there are no known occurrences of sensitive species near the project area.

**APPROVE PERMIT:**

Dredge 24,025 square feet within an existing man-made pond in Dells Brook (impacting 210 linear feet) to remove accumulated sediments and to restore the impoundment. Temporarily impact 4,900 square feet along the pond edges for equipment access.

**With Conditions:**

1. All work shall be done in accordance with the revised plans and application by Lobdell Associates Inc. dated 5/22/03, as received by the Wetlands Bureau on 5/27/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow or drawdown conditions.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau and shall be properly disposed to avoid any contamination within the local groundwater supply.
8. Wetlands shall be restored to their pre-construction conditions within 5 days of completing the project.
9. Within three days of a temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. The applicant shall be responsible for maintaining the integrity of the dam and shall consider recommendations made by the NH Dam Safety Bureau.

With Findings:

1. The project is classified as a Major Project per NH Administrative Rule Wt 303.02 (i), as impacts are greater than 200 linear feet within Dells Brook.
2. The project is necessary to maintain the existing man-made pond.
3. The project, as approved and conditioned, has met the intent of Rule Wt 302.03 regarding the avoidance and minimization of wetland impacts, as the applicant has revised the plan to reduce the overall wetland impact by 3,275 square feet.
4. DES staff inspected the property in May 2003 to investigate the integrity of the dam structure.
5. Public hearing is waived with the finding that the project will not significantly impact the resources of this man-made pond within Dells Brook.

**2003-00485                      ASHLAND, TOWN OF**  
**ASHLAND   Little Squam Lake**

Requested Action:

Construct 325 linear ft of 3 ft wide stone wall and place 225 cu yd of sand above high water to perch 5,356 sq ft of existing beach with a 3 ft wide concrete handicap ramp and four 1 ft x 4 ft wide stone stairs accessing the water, and construct a 6 ft x 44 ft grass lined drainage swale with a 6 ft x 9 ft stone lined spillway on an average 500 ft of frontage on Little Squam Lake.

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Conservation Commission/Staff Comments:

Con. Com. did not respond

APPROVE PERMIT:

Construct 325 linear ft of 3 ft wide stone wall and place 225 cu yd of sand above high water to perch 5,356 sq ft of existing beach with a 3 ft wide concrete handicap ramp and four 1 ft x 4 ft wide stone stairs accessing the water, and construct a 6 ft x 44 ft grass lined drainage swale with a 6 ft x 9 ft stone lined spillway on an average 500 ft of frontage on Little Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by Fluett Engineering Associates, P.C. dated August 2002, revised May 20, 2003, as received by the Department on May 21, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 562.5). All rocks along the natural shoreline shall be placed outside of jurisdiction.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 225 cu yd of sand may be used and all sand shall be located behind the proposed stone wall.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. This permit does not authorize the approval of any future work proposed on the existing jetty.



14. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02 (o), modification of a public beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived based on field inspection by DES staff on April 24, 2003 with the finding that the project impacts will not significantly impair the resources of this Little Squam Lake.
6. Governor and Council approval is not required for this project as no work is proposed below the highwater line.

**2003-00555                      NH DEPT OF TRANSPORTATION**  
**DOVER    Piscataqua River**

Requested Action:

Fill 750 sq. ft. (50 linear feet) along the bank with riprap to stabilize a washout under and adjacent to a 25 ft. x 40 ft. dock.  
Temporarily impact 250 sq. ft.

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Inspection Date: 06/02/2003 by Gino E Infascelli

APPROVE PERMIT:

Fill 750 sq. ft. (50 linear feet) along the bank with riprap to stabilize a washout under and adjacent to a 25 ft. x 40 ft. dock.  
Temporarily impact 250 sq. ft. NHDOT project #70024.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 2/7/03 as received by the Department on March 26, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Work within surface waters shall be done in the dry or during low tidal flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), alteration of a bank within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 2, 2003. Field inspection determined the shoreline is

severely eroded at this location and currently asphalt is being undermined.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

-Send to Governor and Executive Council-

**2003-00709                      KYRIAZIS, ANDREW**  
**HAMPTON   Tidal Buffer**

Requested Action:

Impact 1,344 square feet tidal buffer zone for the removal of two (2) nonconforming structures and the construction of one (1) more nearly conforming single family residence, and remove 1,170 square feet of pre-jurisdictional fill and restore the area to natural salt marsh conditions. Impacts for the proposed project total 2,514 square feet within the tidal buffer zone.

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Inspection Date: 05/22/2003 by Christina Altimari

APPROVE PERMIT:

Impact 1,344 square feet tidal buffer zone for the removal of two (2) nonconforming structures and the construction of one (1) more nearly conforming single family residence, and remove 1,170 square feet of pre-jurisdictional fill and restore the area to natural salt marsh conditions. Impacts for the proposed project total 2,514 square feet within the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated March 12, 2003, with revisions dated April 14, 2003, as received by the Department on April 21, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

Saltmarsh Restoration Conditions:

7. A qualified wetlands consultant shall supervise the restoration activities on the property to ensure that the restoration is accomplished pursuant to the Saltmarsh Restoration Plan by Jones & Beach Engineers, Inc. dated March 12, 2003, with revisions dated April 14, 2003, as received by the Department on April 21, 2003.
8. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
10. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) or other invasive species shall not be used in the wetland restoration site.
11. Invasive, weedy species such as Purple Loosestrife (*Lythrum salicaria*) and Common Reed (*Phragmites australis*) shall be controlled by measures agreed upon by DES if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
12. All material removed during restoration activities shall be placed out of DES jurisdiction.
13. There shall be no substitutions made for the plant species specified on the Saltmarsh Restoration Plan for replanting purposes without prior approval from DES.
15. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than 3 days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.
15. The qualified wetlands consultant shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES within 20 days of the projected restoration compliance date. The initial monitoring report shall include, but not be limited to,

documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.

16. Subsequent monitoring reports shall be submitted to the DES Wetlands Bureau describing and evaluating restoration success to the following schedule:

- a) First year monitoring reports: fall 2003 (due by December 1, 2003);
- b) Second year monitoring reports: spring 2004 (due by July 15, 2004) and fall 2004 (due by December 1, 2004).

17. Monitoring reports shall be submitted to DES with photographs demonstrating the condition of the restoration site, include any remedial actions, and contain a schedule for completing remedial actions.

18. Remedial measures may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, or changing the hydraulic regime.

19. Following completion of the restoration work, monitoring reports should reference DES Wetlands File# 2003-907, and should be addressed as follows:

DES Wetlands Bureau-Coastal Region  
360 Corporate Drive, Suite 2  
Portsmouth, NH 03801

With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects involving work within fifty feet of the saltmarsh.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01, as the existing structures are abandoned and need to be replaced in order for them to be habitable.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES' jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The New Hampshire Natural Heritage Inventory (NHNHI) has record of one natural community of special concern in the project vicinity, Gulf of Maine Salt Marsh.
- 6. DES field inspection on May 22, 2003 finds that the impacts proposed for this project are completely within pre-jurisdictional fill, and are adjacent to, the NHNHI identified Gulf of Maine Salt Marsh.
- 7. Also proposed as part of the project is the removal of 1,170 square feet of fill, and restoration of the area to its natural salt marsh conditions.
- 8. DES finds that the NHNHI identified Gulf of Maine Salt Marsh will not be negatively impacted as a result of this project, but rather that the ecological condition of the property will be restored and improved from its existing degraded condition.

**MINOR IMPACT PROJECT**

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**2002-01033                      ROSS, STEPHEN**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Replace two of four existing tie-off pilings located in an existing partially dug-in slip on 165' of frontage.

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APPROVE PERMIT:

Replace two of four existing tie-off pilings located in an existing partially dug-in slip on 165' of frontage.

With Conditions:

- 1. The two outermost pilings only shall be replaced in the locations as shown on plans by Winnepesaukee Marine Construction dated May 1, 2002, as received by the Department on May 17, 2002.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit is limited to piling replacement only as questions remain regarding the legality of other portions of the existing structure.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

**2002-01070                      BAD REALTY LLC**  
**NOTTINGHAM   Unnamed Wetland**

**Requested Action:**

Request for permit amendment to retain 1,730 square feet of unpermitted wetland fill to provide for safe traffic flow and parking at an existing commercial facility, and reduce the area of previously authorized wetlands fill by 1,730 square feet for construction of a landscape and nursery facility.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

No comments received from the Nottingham Conservation Commission regarding the request for permit amendment or the original application.

**APPROVE AMENDMENT:**

Fill approximately 2,525 square feet of man-made, isolated scrub-shrub and forested wetlands to construct a landscape and nursery facility, and retain 1,730 square feet of unpermitted wetland fill to provide for safe traffic flow and parking at an existing commercial facility.

**With Conditions:**

1. All work shall be in accordance with the Wetlands Plan by Landry Surveying, LLC dated May 2003, as received by the Department on May 27, 2003.
2. This amended authorization supercedes Wetlands and Non-Site Specific Permit No. 2002-01070 issued by the Department on October 8, 2002.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be conducted during low flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The applicant is requesting to retain 1,730 square feet of unpermitted wetlands fill to provide for safe traffic flow and parking at an existing commercial facility.
2. Proposed wetlands impacts, as authorized under Wetlands and Non-Site Specific Permit No. 2002-01070, have been reduced by 1,730 square feet to offset the area of unpermitted wetlands fill to be retained. As a result, the total area of wetlands impacts will remain unchanged.

**2002-02010                      PIVIROTTO, RICHARD**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Retain a 6 ft by 4 ft extension to an existing permitted 6 ft by 30 ft piling pier, connected to an 8 ft 6 in x 33 ft crib pier by a 9 ft x 16 ft walkway and construct an 18 ft by 28 ft seasonal canopy over the center slip on Lake Winnepesaukee, Tuftonboro.

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Conservation Commission/Staff Comments:

Con Com has no objection,  
Loon Preservation Comm has no objections  
NHI has no concerns

APPROVE PERMIT:

Retain a 6 ft by 4 ft extension to an existing permitted 6 ft by 30 ft piling pier, connected to an 8 ft 6 in x 33 ft crib pier by a 9 ft x 16 ft walkway and construct an 18 ft by 28 ft seasonal canopy over the center slip on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated August 28, 2002, revision date April 10, 2003, as received by the Department on April 14, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require the existing non-conforming structure to come into compliance with the Wetlands Program rules in effect at that time.
6. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has submitted information addressing Wt 402.22.
6. The 4 ft dock extension does not add any boatslips to the frontage.
7. The applicant has an average of 1280 feet of frontage along Lake Winnepesaukee.
8. A maximum of 18 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.

9. The docking facility provides 3 slips as defined per RSA 482-A:2, and therefore meets Rule Wt 402.14.

**2002-02386                      TACELLI, DAVID & ELIZABETH**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Remove 3 rocks and an existing 10 ft x 28 ft 6 in crib pier and construct two 6 ft x 43 ft hinged piers connected by a 6 ft x 12 ft seasonal walkway accessed by a 12 ft x 12 ft deck on an average 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

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APPROVE PERMIT:

Remove 3 rocks and an existing 10 ft x 28 ft 6 in crib pier and construct two 6 ft x 43 ft hinged piers connected by a 6 ft x 12 ft seasonal walkway accessed by a 12 ft x 12 ft deck on an average 200 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised May 13, 2003, and received by the Department on May 19, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All portions of the existing 10 ft x 28 ft 6 in crib pier shall be completely removed prior to the construction the new docking facility.
4. All rock and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal piers shall be removed from the lake for the non-boating season.
8. No portion of the piers shall extend more than 43 feet from the shoreline at full lake elevation.
9. The 6 ft wide steps shall be constructed over the bank, and landward of the normal high-water line, in a manner that does not require regrading of the bank. The use of hand tools to set support posts shall not be considered regrading.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03 (d), Construction of a 3 slip docking facility.
2. The applicant has an average of 200 ft of frontage on Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, and therefore meets the requirements of Rule Wt 402.14.
5. The applicant has failed to identify a site for the disposal of the rock to be removed, therefore, the Department requires that they be removed from jurisdiction.

**2003-00136                      NEWBURY, TOWN OF**  
**NEWBURY   Unnamed Wetland**

Requested Action:

Dredge and fill 9,599 square feet of jurisdictional wetlands for recreational development comprised of: 7,897 square feet of palustrine forested wetlands to construct an athletic field; 1,702 square feet of seasonal stream channels and palustrine forested wetlands for a 15" x 30' culvert and a 43" x 27" x 36' pipe arch culvert to provide access

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from the Conservation Commission.

Inspection Date: 06/03/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 9,599 square feet of jurisdictional wetlands for recreational development comprised of: 7,897 square feet of palustrine forested wetlands to construct an athletic field; 1,702 square feet of seasonal stream channels and palustrine forested wetlands for a 15" x 30' culvert and a 43" x 27" x 36' pipe arch culvert to provide access

With Conditions:

1. All work shall be in accordance with plans by Bristol, Sweet & Associates, Inc. dated January 20, 2003, as received by the Department on January 27, 2003, and letter dated May 23, 2003, for construction of trail crossings, as received by the Department on June 2, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program for construction of the athletic fields.
4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work for trail construction shall utilize techniques described in the DES Best Management Practices for Erosion Control During Trail Maintenance and Construction (1996).
11. The contractor responsible for completion of the work for roadways and athletic fields shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 3, 2003, and determined the plans accurately depict the site conditions.
6. Field inspection determined the proposed roadway impacts are the least impacting alternative and will upgrade or reestablish hydrologic connections.
7. Project will provide educational and recreational opportunities for the town with minimal impacts.
8. Trail locations will be located along existing woods roads and skidder trails to minimize disturbances to the property during construction.

**2003-00585                      SPINDLE POINT REALTY TRUST**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Install two 6 ft x 40 ft seasonal piers connected by a seasonal 6 ft x 12 ft walkway, hinged to two 4 ft x 6 ft concrete pads recessed

into the bank, one pad to be modified within an existing 18 ft x 11 ft 6 in concrete patio on an average of 183 ft of frontage on Sally's Gut, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. had no objections to proposed project.

APPROVE PERMIT:

Install two 6 ft x 40 ft seasonal piers connected by a seasonal 6 ft x 12 ft walkway, hinged to two 4 ft x 6 ft concrete pads recessed into the bank, one pad to be modified within an existing 18 ft x 11 ft 6 in concrete patio on an average of 183 ft of frontage on Sally's Gut, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated December 2, 2002, as received by the Department on April 3, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. The concrete pads shall be constructed lakeward of the normal highwater line.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00616                      SAM, RICHARD**  
**ENFIELD   Mascoma Lake**

Requested Action:

Permanently remove existing 4 ft x 24 ft seasonal dock, and install two 4 ft x 30 ft seasonal piers connected by a 4 ft x 10 ft seasonal walkway on an average of 185 ft of frontage on Mascoma Lake, Enfield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comment from Con. Com.



**APPROVE PERMIT:**

Permanently remove existing 4 ft x 24 ft seasonal dock, and install two 4 ft x 30 ft seasonal piers connected by a 4 ft x 10 ft seasonal walkway on an average of 185 ft of frontage on Mascoma Lake, Enfield.

**With Conditions:**

1. All work shall be in accordance with plans by Rick Sam dated March 17, 2003, as received by the Department on April 7, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00666                      NH FISH & GAME DEPARTMENT**  
**STRATFORD   Bog Brook**

**Requested Action:**

Dredge and fill 5,182 square feet and temporarily impact 4,531 square feet within the bed and banks of Stratford Bog Pond and Bog Brook to complete repairs to the Stratford Bog Dam (#225.04) and to maintenance dredge 83 cubic yards of sediment immediately upstream of the spillway.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 5,182 square feet and temporarily impact 4,531 square feet within the bed and banks of Stratford Bog Pond and Bog Brook to complete repairs to the Stratford Bog Dam (#225.04) and to maintenance dredge 83 cubic yards of sediment immediately upstream of the spillway.

**With Conditions:**

1. All work shall be in accordance with plans by NH DES Dam Safety Bureau dated 4/11/01, as received by the Department on 4/16/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Dam Safety Program.

4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Repair shall maintain existing size, location and within the existing footprint of the original structure.
7. All work within the bed of Bog Brook shall be conducted behind a temporary cofferdam.
8. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
13. Dredged material shall be placed outside of any area that is within the jurisdiction of the DES Wetlands Bureau.
14. Work shall be done during low flow and drawdown conditions.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is considered a Minimum Impact Project per Rule Wt 303.04(v), as impacts are for in-kind repairs to an existing dam.
2. On June 11th and 12th, 2002, the Town of Stratford received over 3.5 inches of rain which resulted in serious flooding in the area. During the flood a sinkhole was discovered on the right embankment of the dam. Emergency work was completed in August 2002. This project is to rebuild and repair the spillway and embankments for public safety purposes.

**2003-00694                      ZABADEE DEVELOPMENT, LLC**  
**DUNBARTON   Unnamed Wetland**

Requested Action:

Dredge and fill 6,200 square feet of palustrine scrub-shrub wetlands and install an 18" x 106' culvert to provide access to a 9-lot subdivision

\*\*\*\*\*

Conservation Commission/Staff Comments:

NHF&G note occurrences of wood turtles in the vicinity, though project will not impact directly. Blanding's turtles have also been known to use wetlands near the project. NHF&G suggests minimizing impacts to area wetlands to benefit the Blanding's turtles.

May 14, 2003, Conservation Commission considers the project the least impacting and suggests soil stabilization methods be provided to DES for review and approval.

Inspection Date: 05/07/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 6,200 square feet of palustrine scrub-shrub wetlands and install an 18" x 106' culvert to provide access to a 9-lot subdivision

With Conditions:

1. All work shall be in accordance with plans by T.F. Bernier, Inc. dated November 2002, as received by the Department on April 18, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be done during low flow.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will impact 6,200 sq ft of jurisdictional wetlands and therefore is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 7, 2003. Field inspection determined plans appropriately depict the site.
6. NHF&G note occurrences of wood turtles in the vicinity, though project will not impact directly. Blanding's turtles have also been known to use wetlands near the project. NHF&G suggests minimizing impacts to area wetlands to benefit the Blanding's turtles.

**2003-00787                      WELDON, RUSSELL & KAREN**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Remove 50 square feet of asphalt and dredge 400 square feet of lakebed to install three 10 foot by 8 foot precast concrete slabs and 80 square feet of pre-washed erosion stone and repave an existing 52 foot by 16 foot asphalt access ramp on 100 feet of frontage on Merrymeeting Lake.

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Conservation Commission/Staff Comments:

The New Durham Conservation Commission signed this application.

APPROVE PERMIT:

Remove 50 square feet of asphalt and dredge 400 square feet of lakebed to install three 10 foot by 8 foot precast concrete slabs and 80 square feet of pre-washed erosion stone and repave an existing 52 foot by 16 foot asphalt access ramp on 100 feet of frontage on Merrymeeting Lake.

With Conditions:

1. All work shall be in accordance with plans by Lindon Design Associates dated April 4, 2003, as received by the Department on May 2, 2003 and letter by Lindon Design Associates dated May 27, 2003, as received by the Department on May 27, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee.
3. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be done during draw down.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. The footprint of the dredge area shall not exceed 400 square feet.
10. Stone fill placed below the normal high water line shall be pre-washed to prevent sedimentation of surface waters.
11. The concrete ramp tiles shall be precast. No concrete shall be poured below the normal high water line.
12. No motorized construction equipment shall be allowed to drive below the normal high water line.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of nontidal surface waters and bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. Photographs submitted with this application show the asphalt boat ramp that is currently in this location crumbling into Merrymeeting Lake. The removal of this asphalt and installation of a precast concrete ramp is a less impacting alternative than the boat ramp that is currently in use at this location.

**MINIMUM IMPACT PROJECT**

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**2002-01763                      COURTRIGHT, DAVID**  
**FRANCESTOWN   Unnamed Pond**

Requested Action:

Restore approximately 10,912 square feet of palustrine forested and scrub-shrub wetlands previously impacted for pond construction

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Conservation Commission/Staff Comments:

Conservation Commission informed the applicant a permit from the Wetlands Bureau was required for pond construction do to impacts to wetlands. In addition to this the Commission had concerns about grading, stabilization and stormwater controls.

APPROVE PERMIT:

Restore approximately 10,912 square feet of palustrine forested and scrub-shrub wetlands previously impacted for pond construction

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 22, 2003, as received by the Department on April 30, 2003.
2. Restoration work shall be completed by September 1, 2003, with a progress report submitted no later than August 1, 2003.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to commencing work.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Wetland restoration area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a functioning wetland area as depicted in the approved plan. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
9. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
10. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in the second year following the completion of the restoration.
11. Wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
14. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This project proposes to restore 10,912 square feet of previous impacts to jurisdictional wetlands and therefore is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of jurisdictional wetland.
2. The applicant has provided evidence which demonstrates that this proposal to restore the natural community in a jurisdictional wetland is the least impacting alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
3. In accordance with Administrative Rule Wt. 204.06, applications received after work is completed or has commenced, shall be subjected to the same review as given any other application. Consideration of an after-the-fact application shall not preclude or limit the department's exercise of any enforcement powers it otherwise possesses.

Requested Action:

Request for permit amendment to fill 201 square feet of forested wetlands to install a stone erosion control apron at the outlet of an existing culvert.

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Conservation Commission/Staff Comments:

No comments received from the Kingston Conservation Commission regarding the proposed permit amendment.

No written comments received from the Kingston Conservation Commission (ConCom). Brian Quinlan of the Kingston ConCom did, however, express concerns with potential project impacts to a nearby bog during telephone conversations with Wetlands Bureau staff on September 17, 2002 and September 26, 2002.

APPROVE AMENDMENT:

Permanently fill approximately 1,247 square feet of forested and wet meadow wetlands to construct a roadway to provide access to a commercial development. Temporarily impact approximately 362 square feet of forested and wet meadow wetlands to construct a roadway retaining wall. Preserve via conservation easement approximately 17.59 acres of wetlands and contiguous upland buffer on site.

With Conditions:

1. All work shall be in accordance with the Site Plan (Sheet 4 of 11) by S.E. Cummings Associates, Inc. dated January 1, 2003 and last revised April 14, 2003, as received by the Department on May 14, 2003; the Drainage Plan (Sheet 5 of 11) by S.E. Cummings Associates, Inc. dated June 14, 2002 and last revised April 14, 2003, as received by the Department on May 14, 2003; and the Commerce Park Cover Sheet (Sheet 1 of 11) by S.E. Cummings Associates, Inc. dated January 4, 2002 and last revised January 31, 2003, as received by the Department on February 10, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be conducted during low flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. This permit is contingent upon the execution of a conservation easement on 17.59 acres, as depicted on the Commerce Park Cover Sheet (Sheet 1 of 11) by S.E. Cummings Associates, Inc. dated January 4, 2002 and last revised January 31, 2003, as received by the Department on February 10, 2003.
17. The conservation easements to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
18. Draft conservation easement language shall be submitted to the DES Wetlands Bureau and local Conservation Commission for review and approval prior to construction.
19. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the

DES Wetlands Bureau prior to construction.

20. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

21. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.

22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services.

With Findings:

1. The permit amendment is necessary to install a stone erosion control apron at the outlet of an existing culvert, per the recommendation of Altus Engineering, Inc., in a letter to the Kingston Planning Board dated April 18, 2003.

2. The stone erosion control apron will permanently impact an additional 201 square feet of wetlands.

**2003-00155                      LEBANON SCHOOL DISTRICT**  
**LEBANON    Unnamed Wetland**

Requested Action:

Request for permit amendment to fill 225 square feet of palustrine emergent wetlands for realignment of the proposed driveway to avoid conflicts with utilities servicing the Lebanon High School.

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Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated May 28, 2003 the Lebanon Conservation Commission recommended approval of the proposed permit amendment.

In a letter to the DES Wetlands Bureau dated March 4, 2003 the Lebanon Conservation Commission recommended approval of the application with the following conditions: 1. A treatment swale shall be constructed along the southern edge of the Lacrosse field; and 2. The Lebanon School District shall grant a conservation easement for the wetland situated northwest of the proposed soccer field.

In a letter from the City of Lebanon Conservation Commission, dated 5/28/03 and received by DES on 6/2/03, the Commission voted to "recommend approval of the Lebanon School District amendment to State Wetlands Permit (2003-00155) to fill an additional 225 sq.ft. of wetland area for the realignment of a proposed driveway at Lebanon High School".

APPROVE AMENDMENT:

Fill 2,458 square feet of palustrine emergent and scrub-shrub wetlands to reconfigure and realign a single existing athletic field into two new athletic fields to broaden the array of programs offered to student athletes at Lebanon High School and to maximize use of existing campus facilities and infrastructure in support of those activities, and fill 225 square feet of palustrine emergent wetlands for realignment of the proposed driveway to avoid conflicts with utilities servicing the school.

With Conditions:

1. All work shall be in accordance with the following plans by Pathways Consulting, LLC:

a. The Site Plan by Pathways Consulting, LLC dated December 9, 2002, as received by the Department on January 28, 2003;

b. The Wetlands Impact Plan by Pathways Consulting, LLC dated January 2003, as received by the Department on January 28, 2003; and

c. The Parking Lot Improvements - Access Realignment Plan dated April 30, 2003 as received by the Department on May 6, 2003.

2. There shall be no further alterations of the wetland located to the northwest of these athletic fields. Any further alteration of other areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit is contingent on approval by the DES Site Specific Program.

4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment into adjacent wetlands.

5. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be conducted during low water conditions.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. Realignment of the proposed driveway is necessary to avoid conflicts with existing utility lines servicing the High School.
2. The permit amendment requested by the applicant will add an additional 225 square feet of wetlands impact to the project for a net wetland impact of 2,683 square feet.

**2003-00559                      CARPENTER, ROBERT**  
**RYE   Witch Creek**

Requested Action:

Impact 1,637 square feet of developed uplands within the tidal buffer zone for the installation of a septic system and new water line to the existing single-family residence.

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APPROVE PERMIT:

Impact 1,637 square feet of developed uplands within the tidal buffer zone for the installation of a septic system and new water line to the existing single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated March 11, 2003, with revisions dated March 25, 2003, as received by the Department on April 1, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. This permit is also contingent on a Trench Permit approval issued by the NH Department of Transportation.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b).
2. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
3. The proposed development is within a previously developed upland area within the tidal buffer zone, and is landward of the 50-foot reference line.
4. This approval is consistent with other approvals in developed upland tidal buffer zone areas.
5. New Hampshire Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh, which does not exist within the project location, and therefore will not be impacted as a result of the proposed project.



**2003-00592                      LONG BAY YACHT CLUB, C/O PETER HERZ**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Install 38 seasonal boatlifts in 38 legally existing boat slips on an average of 610 ft of frontage on Paugus Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Digitized by guess method. No tax map. locus on USGS map is not on the shore.

Con. Com. had no objection to the project.

APPROVE PERMIT:

Install 38 seasonal boatlifts in 38 legally existing boat slips on an average of 610 ft of frontage on Paugus Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction, as received by the Department on April 2, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal boatlifts shall be located in existing, legal boat slips and shall be removed during the non-boating season.
8. This permit does not allow for dredging or modification to the existing docking structures.
9. This permit does not authorize canopies.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), installation of seasonal boat lifts deemed minimum based on the degree of impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2003-00919                      TANNER TRUST, MARILYN**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 246, Lot# 9

**2003-00928                      HARTMAN, A. & D. & FRED CUNLIFFE  
BENTON**

COMPLETE NOTIFICATION:  
Benton Tax Map 5, Lot# 1 & 3

**2003-00953                      ROBINSON POA, DONALD  
PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map 937, Lot# 61

**2003-00955                      ROBINSON POA, DONALD  
PEMBROKE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pembroke Tax Map 939, Lot# 65

**2003-00956                      AVERSA, DANIEL  
ALTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Alton Tax Map 16, Lot# 3

**2003-00960                      SHEEHAN, JACK  
BRADFORD   Unnamed Stream**

Conservation Commission/Staff Comments:  
No USGS map. Digitized from tax map.

COMPLETE NOTIFICATION:  
Bradford Tax Map 14, Lot# 13

**2003-00962                      S&M FOREST TRUST, C/O KATHY BOHRSON  
CROYDON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Croydon Tax Map 12, Lot# 315A

**2003-00965                      FARRELL, PETER  
BARNSTEAD   Unnamed Stream**

COMPLETE NOTIFICATION:

Barnstead Tax Map 7, Lot# 17

**2003-00966                      TRUSSELL, RUTH**  
**NEW BOSTON   Unnamed Stream**

COMPLETE NOTIFICATION:

New Boston Tax Map 8, Lot# 1

**2003-00967                      TRUSSELL, JACOB & RUTH**  
**NEW BOSTON   Unnamed Stream**

COMPLETE NOTIFICATION:

New Boston Tax Map 4, Lot# 62

**2003-00968                      SARGENT, CHARLES**  
**NORTHFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Northfield Tax Map R5, Lot# 28-8 & 08-9

**2003-00969                      HARDWICK, DON**  
**WESTMORELAND   Unnamed Stream**

COMPLETE NOTIFICATION:

Westmoreland Tax Map R5, Lot# 35

**2003-00971                      FOOTE, HAROLD**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:

Canterbury Tax Map 12, Lot# 18

**2003-00972                      CARLSON, DOUGLAS & KATHLEEN KELLY**  
**DANBURY   Unnamed Stream**

COMPLETE NOTIFICATION:

Danbury Tax Map 407, Lot# 4

COMPLIANCE

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**2002-02646 WEST, NANCY**  
**BARRINGTON Swains Lake**

Requested Action:

Place 1 1/2 to 2 cubic yards of sand on an existing sloped beach on Swains Lake, Barrington.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com has not responded by 03/10/03.

Inspection Date: 04/21/2003 by Dale R Keirstead

DENY AFTER THE FACT:

Place 1 1/2 to 2 cubic yards of sand on an existing sloped beach on Swains Lake, Barrington.

With Findings:

Standards for Approval

1. In accordance with Rule Wt 303.02, 303.03, 303.04 placing of sand for beach construction or replenishment requires a permit from the Department.
2. In accordance with Rule Wt 302.03, Avoidance and Minimization, applicants shall provide evidence that theirs is the least impacting alternative solution.
3. In accordance with Rule Wt 302.04(d), Requirements for Application Evaluation, the Department shall not grant a permit if a practical, less impacting alternative exists.
4. In accordance with Rule Wt 204.06, After the Fact Applications, after the fact applications shall be subject to the same review as applications filed prior to the initiation of work.
5. This project is defined as a major impact project per Rule Wt 303.02(n), placement of fill in public waters.
6. In accordance with Rule 304.04(a), Setback From Property Lines, the department shall limit the location of a project to at least 20 feet from an abutting property line.

Findings of Fact

7. December 3, 2002, the Department received a written complaint that sand was placed in jurisdiction in Swains Lake, Barrington
8. On December 30, 2002, the Department received an after the fact application to place sand in jurisdiction and Swains Lake.
9. The application indicates that sand was placed on the lakebed in the swimming area.
10. On January 8, 2003, the Department received additional information including photographs from the applicant.
11. On April 21, 2003, a representative of the Department met with the applicant on the property to inspect the site.
12. Site inspection found sand was placed within 20 ft of the abutters property line.
13. Sand generally includes phosphates and other nutrients that contribute to the degradation of surface waters.
14. Site inspection on April 21, 2003, found most of the sand placed on the frontage has been washed away by the adjacent stream.
15. Restoration and removal of the remaining sand placed would not be environmentally sound.
16. The Department will not proceed with enforcement at this time. However, future occurrences of sand dumping may be pursued as willful violations of RSA 482-A.

Findings in Support of Denial

17. The applicant has failed to document that the placement of sand was the least impacting alternative for this site, therefore the project shall be denied in accordance with Rule Wt 302.04(d)(1).
18. The applicant has failed to submit a waiver of the 20 ft setback from the affected abutter.

**EXPEDITED MINIMUM**

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**2003-00599                      WHITE, JAMES**  
**SUGAR HILL   Unnamed Wetland**

Requested Action:

Dredge and fill 7,450 square feet of forested wetlands and temporarily impact 1,220 square feet of forested wetlands to construct a pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Sugar Hill Conservation Commission signed this Minimum Impact Expedited permit application.

APPROVE PERMIT:

Dredge and fill 7,450 square feet of forested wetlands and temporarily impact 1,220 square feet of forested wetlands to construct a pond.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. dated May 5, 2003, as received by the Department on May 8, 2003, the Erosion Control Plan by Watershed to Wildlife dated January 4, 2003, as received by the Department on April 7, 2003, and the Wetlands Impact Narrative by Watershed to Wildlife, Inc. dated January 10, 2003, as received by the Department on April 7, 2003.
2. Work shall be done during low flow.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
6. Dredged material not used for construction of the berms shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The temporary access area shall be regraded to original contours, seeded and mulched, following completion of work.
9. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond impacting 7,450 of forested wetlands.
2. On May 30, 2003, DES personnel spoke with John Severence, Watershed to Wildlife, Inc. Mr. Severence informed DES that the temporary access was the least impacting alternative to access the site because the area had been previously cut and no trees would need to be removed to access the proposed pond site. He also said that they would ensure the area was properly regraded and seeded following construction.

**2003-00698                      SENATOR DEVELOPMENT LLC, STEVEN MOHEBAN**  
**WILTON   Unnamed Stream**

Requested Action:

Temporarily impact 44 square feet, approximately 2 linear feet, of perennial stream bank and channel to install an 8 inch diameter PVC dry hydrant.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Wilton Conservation Commission signed this Minimum Impact Expedited permit application.

**APPROVE PERMIT:**

Temporarily impact 44 square feet, approximately 2 linear feet, of perennial stream bank and channel to install an 8 inch diameter PVC dry hydrant.

**With Conditions:**

1. All work shall be in accordance with plans by Sandford Surveying and Engineering dated April 15, 2003, last revised May 23, 2003, as received by the Department on May 30, 2003.
2. Any temporary construction workspace shall be located out of areas within the jurisdiction of the DES Wetlands Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity. Silt fence must be removed once the area is stabilized.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. The stream bank shall be regraded to original contours, seeded, and mulched following completion of work.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), excavation of less than 10 linear feet of bank to install a dry hydrant.

**2003-00803                      MEIER FAMILY TRUST**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Reset a fender piling adjacent to a U-shaped docking facility on 475 feet of frontage on Lake Winnepesaukee.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

No USGS map. No tax map. Digitized from other files.

**APPROVE PERMIT:**

Reset a fender piling adjacent to a U-shaped docking facility on 475 feet of frontage on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Warren R. Meier dated April 21, 2003, as received by the Department on May 5, 2003.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, construction type, location and configuration.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair of a fender piling with no change in location, configuration, construction type or dimensions.

**2003-00807                      CHARLESTOWN, TOWN OF**  
**CHARLESTOWN   Unnamed Wetland**

Requested Action:

Replace 11 culverts, maintenance dredge 3 roadside ditches and repair a roadside shoulder.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax maps.

Conservation Commission signed the application

USGS map received on June 2, 2003, with culvert locations.

APPROVE PERMIT:

Replace 11 culverts, maintenance dredge 3 roadside ditches and repair a roadside shoulder.

With Conditions:

1. All work shall be in accordance with plans by the Town of Charlestown, as received by the Department on May 6, 2003 and June 5, 2003.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Work in jurisdiction shall be within the right-of-way, a contiguous easement or areas specified by written agreement with the landowner.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04

**2003-00825                      RILEY, STEVEN**  
**SWANZEY   Unnamed Wetland**

Requested Action:

Dredge and fill 1,200 square feet of forested wetlands and intermittent stream to install 20 linear feet of 18 inch diameter culvert and associated fill for access to a single family building lot within a two-lot subdivision on an 18.29 acre parcel of land.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Swanze Conservation Commission signed this minimum impact expedited permit application.

APPROVE PERMIT:

Dredge and fill 1,200 square feet of forested wetlands and intermittent stream to install 20 linear feet of 18 inch diameter culvert and associated fill for access to a single family building lot within a two-lot subdivision on an 18.29 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated April 25, 2003, as received by the Department on May 29, 2003, and subdivision plans by Edward C. Goodrich, Jr. dated April 1, 2003, last revised April 15, 2003, as received by the Department on May 29, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for vehicular access to a single family building lot.
2. On May 21, 2003, Forest Designs submitted a letter to DES explaining why the driveway was not designed to cross wetlands at the narrowest point. The letter stated that relocating the driveway easement to cross the narrowest point of wetlands would require the easement to intersect the abutting property owners' house and driveway and would create a financial hardship for these abutters.

**2003-00826                      BOISVERT, STEVEN & MARY JO**  
**NEWBURY   Unnamed Stream**

Requested Action:

Dredge and fill approximately 998 square feet of palustrine forested wetlands and install a 24" x 20' culvert to provide a common driveway for lots

431,312 and 407,302 identified on Newbury Tax Map 17

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission signed the application granting there approval.

APPROVE PERMIT:

Dredge and fill approximately 998 square feet of palustrine forested wetlands and install a 24" x 20' culvert to provide a common driveway for lots

431,312 and 407,302 identified on Newbury Tax Map 17

With Conditions:

1. All work shall be in accordance with plans by Landmark Land Services, LLC. dated March 2003, as received by the Department on May 8, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. The deed which accompanies the sales transaction for each of the lots shall contain conditions #3 and #4 of this approval.
6. Additional expedited minimum impact applications shall be accepted for each of the subject properties for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.



7. Work shall be done during low flow.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2003-00867                      CAIRA, JEFFREY**  
**SANBORNTON   Lake Winnisquam**

Requested Action:

Construct a seasonal 6 ft by 40 ft dock with a 6 ft by 8 ft "L" shaped extension lakeward, install a seasonal boatlift with a seasonal canopy in the northern slip on average of 215 ft of frontage on Lake Winnisquam, Sanbornton.

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Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Construct a seasonal 6 ft by 40 ft dock with a 6 ft by 8 ft "L" shaped extension lakeward, install a seasonal boatlift with a seasonal canopy in the northern slip on average of 215 ft of frontage on Lake Winnisquam, Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Jeff Caira as received by the Department on May 29, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The seasonal boatlift shall be removed from the lake for the non-boating season.
7. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).
2. The proposed structure provides for 2 boatslips.

**2003-00871                      CINCINNATUS LLC**  
**FRANCONIA   Unnamed Wetland**

Requested Action:

Dredge and fill 1,850 square feet of forested wetlands to install two 15 inch diameter culverts and associated fill for access to a multi-unit residential development.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Digitized from GPS coordinates.

**APPROVE PERMIT:**

Dredge and fill 1,850 square feet of forested wetlands to install two 15 inch diameter culverts and associated fill for access to a multi-unit residential development.

**With Conditions:**

1. All work shall be in accordance with plans by Vander-Heyden Land Surveying dated March 19, 2003, as received by the Department on May 13, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetlands to provide access to a proposed multi-unit residential development.

**2003-00900  
SUGAR HILL**

**SUGAR HILL, TOWN OF**

**Requested Action:**

Replace or reset 40 culverts within the Town of Sugar Hill over the next five years. Dredge and fill impacts range from 70 to 240 square feet and 25 to 40 linear feet per culvert. Total dredge and fill impacts over the five-year period is approximately 4,080 square feet and 1,255 linear feet.

\*\*\*\*\*

**APPROVE PERMIT:**

Replace or reset 40 culverts within the Town of Sugar Hill over the next five years. Dredge and fill impacts range from 70 to 240 square feet and 25 to 40 linear feet per culvert. Total dredge and fill impacts over the five-year period is approximately 4,080 square feet and 1,255 linear feet.

**With Conditions:**

1. All work shall be in accordance with revised plans by Douglas Glover - Road Agent, as received by the Department on 6/3/03.
2. Any further alteration of areas maintained by the Town of Sugar Hill that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert installation shall occur over the 5-year duration of the permit and shall be in accordance to the 5-year culvert plan and summary, as received by the Department on 6/3/03.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

8. All work within streams shall be done in the dry or during periods of low flow.
9. Construction equipment shall not be located within surface waters.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is considered a Minimum Impact Project per Rule Wt 303.04(j).
2. The Town of Sugar Hill is requesting a 5-year culvert maintenance permit to allow for adequate replacement of degraded culverts and maintain safe passage on public roadways.
3. The Town of Sugar Hill is proposing to replace 40 culverts in five years.
4. Each individual culvert replacement or upgrade meets the rules of minimum impact projects.
5. Impacts associated from culvert replacement will not significantly impact the resources within the Town of Sugar Hill, as all culvert repair is proposed within the existing road infrastructure.

**2003-00918                      DEFALCO, ROBERT & MARIE**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Repair in kind a 5 ft x 49 ft piling pier, and a 4 ft x 40 ft piling pier on an average of 155 ft of frontage on Smith Cove, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Repair in kind a 5 ft x 49 ft piling pier, and a 4 ft x 40 ft piling pier on an average of 155 ft of frontage on Smith Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 24, 2003, as received by the Department on May 19, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-01059                      GREEN, LLOYD**  
**CHESTERFIELD   Spofford Lake**

COMPLETE NOTIFICATION:

Chesterfield Tax Map 5D, Lot# 1 Spofford Lake

## GOLD DREDGE

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**2003-01036                      WARE, LAWRENCE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:

cc: Bath ConCom

**2003-01042                      FRANKE, DEAN**  
**(ALL TOWNS)   Unnamed Stream**

**2003-01085                      GRASSO, TRACY**  
**(ALL TOWNS)   Unnamed Stream**

## SEASONAL DOCK NOTIFICATIO

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**2003-01039                      DAIGLE, WILLIAM & KAREN**  
**NEWBURY   Chalk Pond**

COMPLETE NOTIFICATION:

Newbury Tax Map 39, Lot# 774-402 Chalk Pond

**2003-01055**                      **ALBEE, TONYA**  
**JAFFREY**   **Lake Contoocook**

COMPLETE NOTIFICATION:

Jaffrey Tax Map 243, Lot# 11-2 Lake Contoocook

**2003-01056**                      **PONTASSE, DOUGLAS & ELAINE MITTELL**  
**SILVER LAKE**   **Silver Lake**

COMPLETE NOTIFICATION:

Silver Lake Tax Map 22, Lot# 4-1 Silver Lake

**2003-01067**                      **LOWTH FAMILY EXEMPT TRUST, NANCY**  
**MEREDITH**   **Lakw Waukewan**

COMPLETE NOTIFICATION:

Meredith Tax Map U5, Lot# 7 Lake Waukewan